

AS A SPRAY, GARGLE, OR LINIMENT OR IN ANY OTHER WAY FOR EXTERNAL APPLICATION IF THE COMPOUND, MIXTURE, OR PREPARATION:

(1) CONTAINS SOME OTHER DRUG, IN ADDITION TO A BARBITURATE, THAT RENDERS THE COMPOUND, MIXTURE, OR PREPARATION UNFIT FOR INTERNAL USE; AND

(2) IS SOLD FOR THE PURPOSE FOR WHICH IT IS INTENDED AND NOT FOR THE PURPOSE OF EVADING PART II OF THIS SUBTITLE.

(B) EXEMPTED PERSONS.

THE PROVISIONS OF § 4-1107(A) OF THIS SUBTITLE DO NOT APPLY TO THE DELIVERY OF BARBITURATES TO OR TO POSSESSION OF BARBITURATES BY THE FOLLOWING CLASSES OF PERSONS, OR THEIR AGENTS OR EMPLOYEES, FOR USE IN THE USUAL COURSE OF THEIR BUSINESS, PRACTICE, OR OFFICIAL DUTIES:

(1) PHARMACISTS.

(2) PRACTITIONERS.

(3) PERSONS WHO OBTAIN BARBITURATES FOR DISPOSITION BY OR UNDER THE SUPERVISION OF AN EMPLOYEE WHO IS A PHARMACIST OR A PRACTITIONER.

(4) PERSONS WHO OBTAIN BARBITURATES FOR LAWFUL RESEARCH, TEACHING, OR TESTING AND NOT FOR RESALE.

(5) HOSPITALS AND OTHER INSTITUTIONS THAT OBTAIN BARBITURATES FOR LAWFUL ADMINISTRATION.

(6) OFFICERS AND EMPLOYEES OF FEDERAL, STATE, OR LOCAL GOVERNMENTS.

(7) MANUFACTURERS, WHOLESALERS, CARRIERS, AND WAREHOUSEMEN.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 286.

In subsection (b)(3) of this section, the words "an employee who is a pharmacist or practitioner" are substituted for the words "pharmacists or practitioners employed by them" to clarify the term "them" in the former law.

In subsection (b) of this section, the former reference to an exception to the "provisions of § 285(4)" is deleted. The item to which the former language originally referred was repealed in 1966 and the renumbered item (4) of former Article 43,